

## **REMARKS**

In the Office Action, the Examiner rejected claims 1-92. Applicants respectfully request reconsideration and allowance of claims 1-92 in view of the following remarks.

### **Request for Interview**

Applicants respectfully note that M.P.E.P. 706 states that the “goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to ... reply completely at the earliest opportunity” and that the Examiner “should never overlook the importance of his or her role in allowing claims which properly define the invention.” Applicants further note that M.P.E.P. 707.02 states “supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them.” Applicants respectfully point out that the original application was filed in 2001 and that the office action mailed on April 17, 2006, contained rejections based on prior art that had not been introduced in the previous five years of examination. Furthermore, Applicants respectfully submit that the present rejections are no more on point than any of the previous rejections that have been successfully overcome. Therefore, based on the remarks below, Applicants respectfully request withdrawal of all rejections and allowance of the present claims. However, if the Examiner chooses to maintain any rejections of the present claims, Applicants request a telephone conference with the Examiner and the Examiner’s supervisor in order to facilitate moving the present application towards issuance at the earliest opportunity..

### **Rejections under 35. U.S.C. § 102**

The Examiner rejected claims 1, 3-5, 7-14, 16-22, 24-34, 36-38, 40-47, 49-55, 57-67, 69-71, 73-80, 82-84 and 86-92 under 35 U.S.C. § 102 as being anticipated by Raff (US 6,785,868) (hereinafter the “Raff reference”).

Applicants respectfully traverse these rejections. Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 778 F.2d 775, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). To maintain a proper rejection under Section 102, a single reference must teach each and every element or step of the rejected claim. *Atlas Powder v. E.I. du Pont*, 750 F.2d 1569 (Fed. Cir. 1984). Thus, if the claims recite even one element not found in the cited reference, the reference does not anticipate the claimed invention.

### **Independent Claims 1 and 14**

The present application relates generally to the field of organization and scheduling methods and, more particularly, to a method for management of one’s family-related and work-related matters. Specifically, the application discloses a method of utilizing a *barrier* to separate and organize a family manager’s personal information from the manager’s work information. Application, page 15, lines 1-10; page 17, line 20 – page 18, line 6. The application also discloses a method for collection and communication of personal and work information from a host computer to a device *dedicated* to the family manager. Application, page 16, lines 5-10.

Accordingly, independent claims 1 and 14 recite a method for managing personal and work-related matters comprising “communicating *only the personal information* from the host computer to at least one second device dedicated to at least one person in a *personal sphere* of the family manager; and communicating *only the work information* from the host to at least one third device dedicated to at least one person in a *work sphere* of the family manager.”

(Emphasis added). Claims 1 and 14 further recite a method for managing personal and work-related matters comprising “collecting personal information related to a ... family manager’s personal life and work information related to the ... family manager’s work life at a [computer]; communicating the personal information and the work information ... from the [computer] to a first device dedicated to the ... family manager.”

In contrast, the Raff reference does not disclose a method which communicates only work information to work-related entities and only personal information to personal entities. Specifically, the reference provides a device which allows the entity or user to choose which schedules are displayed without restriction as to whether the schedule is categorized as personal or work-related. Raff, Fig. 18, item 615, Fig. 8, step 415, col. 10, line 64 – col. 11, line 6, col. 13 lines 16-20. In addition, the Raff reference uses the term “personal” to describe matters that pertain to the individual user which may be composed of both the individual’s work-related *and* family matters. Raff, Fig. 10A; col. 10, lines 31-33, 49-52. Accordingly, the Raff reference does not disclose a method that communicates only work information to work-related entities and only personal information to personal entities.

Because the Raff reference fails to disclose each and every element of claims 1 and 14, Applicants respectfully request withdrawal of rejection and allowance of claims 1 and 14. Further, Applicants respectfully request withdrawal of the rejections and allowance of claims 3-5, 7-13, 16-22, 24-33 based on their dependency from claims 1 and 14.

#### Independent Claim 67

Referring to claim 67, Applicants respectfully assert that the Raff reference fails to disclose each and every feature recited in the claim. Similar to claims 1 and 14, claim 67 recites a method comprising “collecting personal information related to a family manager’s personal life and work information related to the family manager’s work life at a host computer ... communicating the personal information and the work information from the host computer only to a first device dedicated to the family manager” and “communicating *only the personal information* from the host computer to at least one second device dedicated to at least one person in a *personal sphere* of the family manager; and communicating *only the work information* from the host to at least one third device dedicated to at least one person in a *work sphere* of the family manager.” (Emphasis added). Application of the above discussion of claims 1 and 14 to claim 67 also illustrates the Raff reference’s failure to disclose each and every element of claim 67.

Further, the application discloses a barrier that is implemented to ensure that specific personal information is not accessible by work-related entities and that specific work information is not accessible by personal entities. Application, page 17, line 20 – page 18, line 1. Accordingly, independent claim 67 recites a method comprising “maintaining a barrier between the personal information and the work information.” The claim also recites

“communicating only the personal information from the host computer to at least one second device dedicated to at least one person in a personal sphere of the family manager; and communicating only the work information from the host computer to at least one third device dedicated to at least one person in a work sphere of the family manager.”

In contrast, the Raff reference does not describe a method where a barrier is maintained between personal and work related information, restricting the access to work or personal information based on the status of the contact viewing the information. Instead, the reference provides a device which allows the entity or user to choose which schedules are displayed *without restriction* as to whether the schedule is categorized as personal or work-related. Raff, Fig. 18, item 615; Fig. 8, step 415; col. 10, line 64 – col. 11, line 6; col. 13 lines 16-20. Accordingly, Raff does not disclose a method of using a barrier between personal and work information to restrict access based on the entity’s status.

Because the Raff reference fails to disclose each and every element of claim 67, Applicants respectfully request withdrawal of rejection and allowance of claim 67. Further, Applicants respectfully request withdrawal of the rejections and allowance of claims 69-71 and 73-79 based on their dependency from claim 67.

#### Independent Claim 80

Referring to claim 80, Applicants respectfully assert that the cited reference fails to disclose each and every feature recited in the claim. Similar to claim 67, independent claim 80 recites a method comprising “forming a barrier between the personal information and the work information.” Claim 80 also recites communicating only personal information to a

contact in the personal sphere of the manager and communicating only work information to a contact in the work sphere of the manager.

The discussion above regarding similar language in claim 67 also shows the Raff reference's failure to disclose each and every element of claim 80. Accordingly, Applicants respectfully request allowance of claim 80. Further, Applicants respectfully request withdrawal of the rejections and allowance of claims 82-84 and 86-92 based on their dependency from claim 80.

#### Independent claims 34 and 47

Referring to independent claims 34 and 47, Applicants respectfully assert that each of the cited references fails to disclose each and every feature recited in either of these claims. In the present application, one embodiment relates to utilizing a host computer to gather information from both family entities and work entities and to provide such information to the family manager, such as in the form of a merged family/work calendar only available to the family manager. Accordingly, claim 34 recites a method comprising "communicating personal information related to a family manager's personal life from at least one first device to a host computer; communicating work information related to the family manager's work life from at least one second device to the host computer; and communicating the personal information and the work information related to the family manager from the host computer to a third device dedicated to the family manager." Claim 47 is similarly directed to a situation involving two family managers. For example, as described in the Application, a family entity, such as a son, with an iPAQ device may transfer his schedule information to the host computer, and a work entity, such as a supervisor, may transfer his or her relevant schedule to

the host as well. The host computer may transfer the proper schedules to the device dedicated to the family manager. Application, Fig. 5, page 15, line 12 – page 16, line 16.

In contrast, the Raff reference does not disclose a first device with personal information and a second device with work information, where each device communicates the information to a host computer that communicates both personal and work information to a device dedicated to the family manager. Instead, the reference provides for a server that contains event calendar information and a separate portable computer that has personal calendar information “already present within the system.” The portable computer containing the personal calendar then uploads the shared event calendar information from the server. Raff, col. 10, lines 11-52. There is no gathering of information in a host computer from both work-related entities and family-related entities, where the host communicates the information to a family manager’s device. Therefore, the Raff reference does not meet the terms of claims 34 and 47.

Because the Raff reference fails to disclose each and every element of claim 34 and 47, Applicants respectfully request allowance of claim 34 and 47. Further, Applicants respectfully request withdrawal of the rejections and allowance of claims 36-38, 40-46, 49-55 and 57-66 based on their dependency from claims 34 and 47.

#### **Rejections Under 35 U.S.C. § 103**

The Examiner rejected claims 2, 6, 15, 23, 35, 39, 48, 56, 68, 72, 81 and 85 under 35 U.S.C. § 103(a) as being unpatentable over the Raff reference in view of Edwards et al. (US Publication 2002/0078379) (hereinafter the “Edwards reference”). Specifically, the Examiner stated:

As per claim 2, which is dependent on claim 1, Raff fails to specifically point out a private host computer. However, Edwards teaches a method, wherein the host computer comprises a private host computer ([0010]-[0012]). Therefore it would have been obvious to an artisan at the time of the invention to combine the private computer of Edwards with the method of Raff. Motivation to do so would have been to provide a secure way of accessing applications, programs, and capabilities of the device.

Office Action, page 7.

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985). When prior art references require a selected combination to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gained from the invention itself, i.e., something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination. *Uniroyal Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988). The motivation to combine references must be based on objective evidence of record and cannot be based on subjective belief and unknown authority. *In re Lee*, 277 F.3d 1338, 61 USPQ2d 1430, 1434 (Fed. Cir. 2002).



Dependent Claims 2, 6, 15, 23, 35, 39, 48, 56, 68, 72, 81 and 85

As discussed above, the Raff reference does not disclose all elements of independent claims 1, 14, 34, 47, 67 and 80, to which dependent claims 2, 6, 15, 23, 35, 39, 48, 56, 68, 72, 81 and 85 are variously related. The Edwards reference does not cure the deficiencies of the Raff reference discussed above. Therefore, these claims distinguish over the cited art for the reasons discussed above.

Furthermore, the Examiner has not provided sufficient suggestion or motivation to support the combination the Raff and Edwards reference. The Edwards reference pertains to providing access to a private network to increase security, whereas the Raff reference discloses a system for *sharing*, viewing, and synchronizing multiple schedules. Specifically, the Raff reference repeatedly discusses ways to synchronize and view *shared* scheduling information. *See, e.g.*, Raff, col. 1, lines 12-15. Thus, the Raff reference actually teaches away from using a private network that would greatly reduce, or eliminate, the type of sharing disclosed by the Raff reference. Accordingly, nothing in Edwards or Raff suggests the motivation to combine a method for accessing private network with a system for viewing shared schedules on a server.

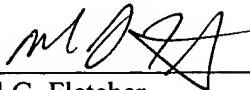
In view of the remarks set forth above, Applicants respectfully submit that the subject matter of claims 2, 6, 15, 23, 35, 39, 48, 56, 68, 72, 81 and 85 is not rendered obvious by any of the cited art, either alone or in combination. Accordingly, Applicants respectfully request withdrawal of the rejections and allowance of claims 2, 6, 15, 23, 35, 39, 48, 56, 68, 72, 81 and 85.

**Conclusion**

In view of the remarks set forth above, Applicants respectfully request allowance of claims 1-92.

Respectfully submitted,

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